



BOULT • CUMMINGS  
CONNERS • BERRY PLC

RECEIVED

2003 OCT 27 PM 2:45

Henry Walker  
(615) 252-2363  
Fax (615) 252-6363  
Email: hwalker@boultcummings.com

T.R.A. DOCKET ROOM

October 27, 2003

Honorable Deborah Taylor Tate  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

DOCKET NO.

03-00567

Re: Petition of XO Tennessee, Inc. to Amend Its Certificate of Convenience  
and Necessity.

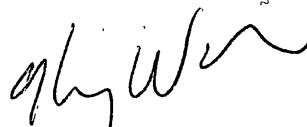
Dear Chairman Tate:

Enclosed please find the original and fourteen (14) copies of the Petition of XO  
Tennessee, Inc. to Amend Its Certificate of Convenience and Necessity.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

  
Henry Walker

HW/cw

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**October 27, 2003**

*IN RE:* )  
*Petition of Interconnection Agreement Between* ) *Docket No. \_\_\_\_\_*  
*TDS Telecom and XO Tennessee, Inc.* )  
 )

---

**PETITION OF XO TENNESSEE, INC. TO AMEND ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY**

---

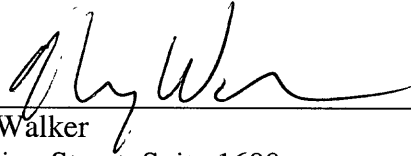
XO Tennessee, Inc. ("XO") petitions the Tennessee Regulatory Authority to amend XO's certificate of convenience and necessity to allow XO to offer telecommunications services to customers located in the service areas of Concord Telephone Exchange, Tennessee Telephone Company, Fellico Telephone Company, and Humphreys County Telephone Company (hereafter "TDS" or the Company).

As evidenced by a separate filing made today, XO and TDS have entered into an interconnection agreement and submitted that agreement to the Authority for approval. XO presently has a certificate, originally obtained under the name Signal Communications of Tennessee, LLC (Docket 95-02502, order issued Sept. 29, 1995). Consistent with the law in effect at that time, XO's certificate prohibited the carrier from offering service in areas served by incumbents, such as TDS, with fewer than 100,000 total access lines "unless such company voluntarily enters into an interconnection agreement with a competing telecommunications services provider." T.C.A. § 65-4-202(d). TDS and XO have now entered into such an agreement and it is therefore appropriate to amend XO's certificate accordingly.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: \_\_\_\_\_

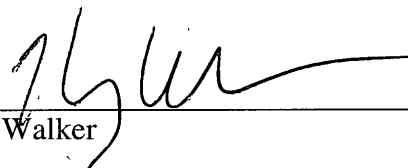
A handwritten signature in dark ink, appearing to read "H. Walker", is written over a horizontal line.

Henry Walker  
414 Union Street, Suite 1600  
P.O. Box 198062  
Nashville, Tennessee 37219  
(615) 252-2363

**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2003, a copy of the foregoing document was serviced on the parties of record, via US mail:

Dale Grimes  
Bass, Berry & Sims  
315 Deaderick St., #2700  
Nashville, TN 37238-3001

  
\_\_\_\_\_  
Henry Walker